

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18780 of 2024

Arising Out of PS. Case No.-570 Year-2023 Thana- TAJPUR District- Samastipur

NITIN KUMAR SON OF RAJ NARAYAN SINGH @ RAJAN MAHTO
RESIDENT OF VILLAGE - MARSAND WARD NO.6, P.S. - PUSA,
DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Adv.
For the Opposite Party/s : Mrs.Asha Devi, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Tajpur (Waini O.P.) P.S. Case No. 570 of 2023 dated 03.10.2023 registered for the offences punishable u/s 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 2514.240 litres of illicit foreign liquor was recovered from the truck near the Dharamkanta.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner was disclosed by the



apprehended person. No incriminating article has been recovered from the conscious possession of the petitioner, hence no case is made out. The petitioner has no concern with the alleged recovery. The co-accused person has already been granted anticipatory bail by this court vide order dated 04.01.2024 passed in Cr. Misc. No. 78855 of 2023. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Tajpur (Waini O.P.) P.S. Case No. 570 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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